



February 18, 2022

Mr. Brett Feldhahn
Project Manager
RCRA Corrective Action, Permitting and
PCB Section
United States Environmental Protection Agency
Region 10
Sixth Avenue, Suite 155
Seattle, WA

Re: Source Area Investigation and Study Work Plan Progress Inquiry
Former J.H. Baxter & Co., Arlington facility
RCRA Docket 7003 Admirative Order on Consent
Docket No.: RCRA-10-2001-0086
EPA ID No.: WAD053823019

Dear Mr. Feldhahn,

J.H. Baxter is in receipt of your letter dated February 16, 2022. Your letter is correct in that we have had to close our Eugene, Oregon Facility as we can no longer afford to operate. We are currently looking at alternative businesses for the property that will bring cashflow into the company.

We are also aware that a work plan was approved for the source area investigation and subcontractor procurement is scheduled to be completed by March 2, 2022. At this time we have no choice but to discontinue the work that is scheduled due to current cash constraints.

We understand that not completing the work will be a violation of the Order and could subject Baxter to stipulated penalties. However, we request that penalties be deferred or not imposed at all until sometime in the future so Baxter can repurpose its Eugene facility and start a cashflow stream coming in. Receiving monetary penalties at this time will certainly not help our current situation.

In 2007 we sold the Arlington operations to Stella-Jones and have a land lease with Stella until 2032. Stella Jones has shown some interest in possibly buying the Arlington facility and remediating the property themselves. I have furnished them with a copy of the approved workplan and they are reviewing it. We will continue a dialog with Stella-Jones and may as for a joint meeting with you and Stella -Jones in the future to discuss the site.

We apologize for this situation and hope EPA can afford Baxter some time to get its house in order.

Sincerely,

Georgia Baxter.